

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

DARIN O ORTIZ ORTIZ
LUZ N RIVERA RAMOS

Debtor(s)

Case No.: 10-06026 S

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to adjust payment schedule and increase the base of the plan.

WHEREFORE, it is respectfully requests to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 31st day of August of 2010.

JPC LAW OFFICE

Jose M Prieto Carballo, Esq
P.O. Box 363565
San Juan, P.R. 00936-3565
Tel (787) 607-2066 & Tel (787) 607-2166
jpc@jpcclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. _____

ORTIZ ORTIZ, DARIN O & RIVERA RAMOS, LUZ N

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☒ AMENDED PLAN DATED: 8/31/2010

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 340.00 x 36 = \$ 12,240.00
\$ 400.00 x 24 = \$ 9,600.00
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 21,840.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 21,840.00

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee

Disclosure Statement: \$ 3,000.00

Signed: /s/ DARIN O ORTIZ ORTIZ

Debtor

/s/ LUZ N RIVERA RAMOS

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. DORAL MORTGAGE Cr. _____ Cr. _____
50040522 # _____ # _____
\$ 3,000.00 \$ _____ \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. SCOTIABANK Cr. _____ Cr. _____
53200000907344 # _____ # _____
\$ 11,000.00 \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

AEELA

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DEPT DE LA VIVIENDA DORAL MORTGAGE

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.

11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____

☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT
METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE
PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY
PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR WILL PROVIDE INSURANCE TO SCOTIABANK FIN TROUGH EASTERN AMERICAN INS CORP.

ADEQUATE PROTECTION TO SCOTIABANK IN THE AMOUNT OF \$100.00

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing
0104-3
Case 10-06026-SEK13
District of Puerto Rico
Old San Juan
Thu Aug 26 14:01:51 AST 2010

ADM DE CORRECCION
P O BOX 71308
SAN JUAN, PR 00936-8408

DEPT DE LA VIVIENDA
APARTADO 21365
RIO PIEDRAS, PR 00928-1365

DTOP
P O BOX 41269
SAN JUAN, PR 00940-1269

SEARS
P O BOX 6189
SIOUX FALLS, SD 57117-6189

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

End of Label Matrix
Mailable recipients 17
Bypassed recipients 0
Total 17

SCOTIABANK PR
FERNANDEZ COLLINS CUYAR & PLA
PO BOX 9023905
SAN JUAN, PR 00902-3905

AEELA
P O BOX 364508
SAN JUAN, PR 00936-4508

DIRECT TV
P O BOX 71413
SAN JUAN, PR 00936-8513

EDP COLLEGE
P O BOX 192303
SAN JUAN, PR 00919-2303

DARIN O ORTIZ ORTIZ
A7 CALLE LA VIA
URB JARDINES DE LA VIA
NAGUABO, PR 00718

LUZ N RIVERA RAMOS
A7 CALLE LA VIA
URB JARDINES DE LA VIA
NAGUABO, PR 00718

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANCO POPULAR DE PUERTO RICO
AS PURCHASING AGENT
CONSUMER BANKRUPTCY UNIT
PO BOX 1450
MAYAGUEZ PR 00681-1450

DORAL MORTGAGE
P O BOX 70308
SAN JUAN, PR 00936-8308

SCOTIABANK
P O BOX 362230
SAN JUAN, PR 00936-2230

JOSE M PRIETO CARBALLO
JPC LAW OFFICE
PO BOX 363565
SAN JUAN, PR 00936-3565

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938